

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION**

**CIVIL NO. 5:98CV29**

**BETTY G. BROWN, Individually and )  
as Executrix of the Estate of )  
Everette C. Brown, Deceased; )  
CAROL JEAN BYNUM, Individually )  
and as Representative of the Estate )  
of Steve W. Bynum, Deceased; )  
MAVIS R. MULLIS, Individually and )  
as Executrix of the Estate of James )  
Parks Mullis, Deceased; DAVID E. )  
STEELE, Executor of the Estate of )  
Erbie L. Steele, and wife MARIE K. )  
STEELE; JANE WALSER, )  
Individually and as Executrix of the )  
Estate of Wilford D. Walser, )  
Deceased; REGINALD B. BALLARD, )  
and wife NANCY C. BALLARD; )  
EUGENE BEAVER, and wife NITA S. )  
BEAVER; MICHAEL E. BILYEU, and )  
wife JOEANN G. BILYEU; BRIAN D. )  
BOST; EUGENE H. BROOKS, and )  
wife JACQUELINE B. BROOKS; )  
ERNEST B. BURTON, and wife )  
E. INEZ BURTON; JAMES D. COMER, )  
and wife JANE B. COMER; )  
CHARLES L. CRISP, and wife LINDA )  
S. CRISP; HAROLD D. DALTON, SR.; )  
DAVID L. EARLS, and wife DEBORAH )  
P. EARLS; OLLEN J. FARRIS, and )  
wife LINDA JOYCE FARRIS; ARNOLD )  
R. FLOYD, and wife RUBY T. FLOYD; )  
JAMES D. GILLESPIE, and wife )  
WILLA W. GILLESPIE; MADGE L. )**

HENSLEY, and husband CHARLES )  
 T. HENSLEY; DONALD C. HOLLIS; )  
 CHARLIE R. HORD, and wife )  
 BEVERLY P. HORD; JACK B. )  
 HUGHES, and wife SARAH ESTHER )  
 HUGHES; ARCHIE HUMPHRIES, JR., )  
 and wife MARGARET M. )  
 HUMPHRIES; BARBARA R. )  
 HUMPHRIES, Executrix of the Estate )  
 of Buddy R. Humphries, Deceased; )  
 LARRY K. HUMPHRIES, and wife )  
 THERESA N. HUMPHRIES; )  
 WILLIAM E. JACOBS, and wife )  
 EDITH H. JACOBS; BILLY BROWN )  
 JARRETT, and wife EVA MAE )  
 JARRETT; JAMES A. KISNER, and )  
 wife BRENDA G. KISNER; ZENO B. )  
 LANCASTER, and wife KATHERINE )  
 B. LANCASTER; SAM L. LYNN; )  
 CLYDE R. McKNIGHT, and wife )  
 MADELYN G. McKNIGHT; WALTER )  
 H. MABE, JR., and wife KATHY L. )  
 MABE; LEON B. MAUNEY, and wife )  
 EUNICE W. MAUNEY; KENNETH H. )  
 MOREE, and wife LYNN D. MOREE; )  
 MARY ALRIDGE SCRUGGS, )  
 Individually and as Executrix of the )  
 Estate of Joe Scruggs, Deceased; )  
 CORRINE F. SMITH, and husband )  
 JERRY L. SMITH; JACKSON J. )  
 SMITH, and wife CAROLYN S. )  
 SMITH; LLOYD L. SUTTON, and wife )  
 MARGARET H. SUTTON; WILLIAM C. )  
 THOMAS; CECIL B. THOMPSON, )  
 and wife MARGIE B. THOMPSON; )  
 WALTER D. THOMPSON; )  
 CAROLYN I. WAGNER, Individually )

and as Executrix of the Estate of )  
 Kenneth L. Wagner, Deceased; )  
**SARAH B. WALTERS**, Individually )  
 and as Representative of the Estate )  
 of James B. Walters, Deceased; and )  
**STEVEN F. HOLLARS**, Executor of )  
 the Estate of Jack F. Hollars, )  
 Deceased, )

Plaintiffs, )

Vs. )

**ORDER**

**AMCHEM PRODUCTS, INC.;** )  
**CERTAIN-TEED CORPORATION;** )  
**THE FLINTKOTE COMPANY;** )  
**FOSTER WHEELER CORPORATION;** )  
**GARLOCK, INC.; GENERAL** )  
**ELECTRIC COMPANY;** )  
**GEORGIA-PACIFIC CORPORATION;** )  
**GRANT WILSON, INCORPORATED;** )  
**ASBESTOS CLAIMS MANAGEMENT,** )  
**INC.; OWENS-ILLINOIS, INC.;** )  
**3M COMPANY; and WESTINGHOUSE** )  
**ELECTRIC CORPORATION,** )

Defendants. )

**THIS MATTER** is before the Court *sua sponte* to determine the status of this action.

The case was filed in March 1998, transferred to the Panel for MultiDistrict Litigation in May 1998 and returned to this Court for trial in

October 2004. The Court will, therefore, require the parties to advise of the status of the case.

**IT IS, THEREFORE, ORDERED** that on or before 30 days from entry of this Order, the parties shall file written notice with the Court of the remaining Plaintiffs and Defendants or, in the alternative, shall advise the Court that the action has been settled in its entirety.

**IT IS FURTHER ORDERED** that any remaining parties are hereby **CALENDARED** for trial during the April 2007 term of court.

Signed: December 15, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

